

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BENZAEPINE DERIVATIVES AND METHODS OF PROPHYLAXIS OR TREATMENT OF 5HT2C RECEPTOR ASSOCIATED DISEASES, the specification of which:

☐ is attached hereto.

☒ was filed on April 20, 2006 as Application Serial No. 10/573,196 and was amended on _____.

☒ was described and claimed in PCT International Application No. PCT/US2004/034914 on October 21, 2004 and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/513,894	October 22, 2003	Expired

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No


I hereby appoint all the practioners associated with Customer No. 26204 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all telephone calls to CHRISTINE A. GODDARD, PH.D. at telephone number 617-542-5070.

Direct all correspondence to the following:

26204
PTO Customer Number

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: BRIAN SMITH

Inventor's Signature: 

Date: 2/2/07

Residence Address:

San Diego, CA

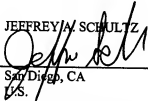
Citizenship:

United States

Post Office Address:

13182 Mesa Crest Place
San Diego, CA 92129

Full Name of Inventor: JEFFREY A. SCHULTZ

Inventor's Signature: 

Date: 3-1-07

Residence Address:

San Diego, CA

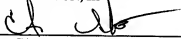
Citizenship:

U.S.

Post Office Address:

10156 Prairie Fawn Drive
San Diego, CA 92127

Full Name of Inventor: CHARLES A. GILSON, III

Inventor's Signature: 

Date: 01/20/07

Residence Address:

San Diego, CA

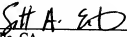
Citizenship:

U.S.

Post Office Address:

4259 Del Mar Avenue
San Diego, CA 92107

Full Name of Inventor: SCOTT A. ESTRADA

Inventor's Signature: 

Date: 3/14/07

Residence Address:

La Jolla, CA

Citizenship:

U.S.

Post Office Address:

415 Colima Street
No. 15
La Jolla, CA 92037